FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2911 OF 2005

Office notes, office	:	
Memoranda of Coram,	:	
appearances, Court's	:	Court's or Judge's Orders
orders or directions	:	
& Registrar's orders.	:	.

Mr. Bipin Joshi for the petitioners.

Mr. Jitendra C. Mehta, the proprietor of the respondent is present in court.

CORAM: SMT. RANJANA DESAI, J.

DATED: 3RD MAY, 2005.

P.C.:-

Heard Mr. Joshi, the learned counsel for the petitioners. He states that he has instructions to withdraw the petition.

Mr. Mehta, the proprietor of M/s. J.M. Constructions is present in the court. He states that yesterday i.e. 2/5/2005, a statement was made before the Small Causes Court that the High Court has stayed the proceedings and on that count the injunction notice was adjourned to 6/5/2005 knowing full well that from 9/5/2005 the vacation

begins. Therefore, the withdrawal of the writ petition is mala fide. He states that this is an attempt to delay the proceedings.

I do not wish to express any opinion. However, the trial court while proceeding with the injunction notice should take into consideration these allegations and see to it that no unnecessary adjournments are granted. The petition is allowed to be withdrawn.

All concerned to act on the authenticated copy of this order.

(SMT. RANJANA DESAI, J.)